

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE AMENDMENTS: 01-57 RES 1 (BREEZY ACRES), MODIFYING PAGE 57 OF THE FLUA BY CHANGING APPROXIMATELY 9 ACRES OF LAND, LOCATED APPROXIMATELY 0.50 MILE WEST OF HAVERHILL ROAD AND 250 FEET SOUTH OF OKEECHOBEE BOULEVARD, ON THE EAST AND WEST SIDES OF BREEZY LANE AND NORTH SIDE OF ELMHURST ROAD, FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); 01-65 COM 1 (CONGRESS AVENUE/HOLLY ROAD), MODIFYING PAGE 65 OF THE FLUA BY CHANGING AN APPROXIMATELY 6.52 ACRES OF LAND, LOCATED APPROXIMATELY 800 FEET SOUTH OF SUMMIT BOULEVARD AT THE SOUTHEAST CORNER OF CONGRESS AVENUE AND HOLLY ROAD, FROM COMMERCIAL, WITH AN UNDERLYING 5 UNITS PER ACRE (C/5) ON 3.31 ACRES AND COMMERCIAL, WITH AN UNDERLYING 5 UNITS PER ACRE (C/5) WITH CROSS-HATCHING ON 3.21 ACRES TO COMMERCIAL LOW (CL); 01-71 RES 1 (BARBRIDGE ROAD), MODIFYING PAGE 71 OF THE FLUA BY CHANGING APPROXIMATELY 8.45 ACRES OF LAND, LOCATED APPROXIMATELY 0.50 MILE SOUTH OF FOREST HILL BOULEVARD AND 300 FEET EAST OF MILITARY TRAIL, ON THE NORTH AND SOUTH SIDES OF BARBRIDGE ROAD, FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); 01-71 RES 3 (47TH AVENUE SOUTH), MODIFYING PAGE 71 OF THE FLUA BY CHANGING APPROXIMATELY 4.55 ACRES OF LAND, LOCATED APPROXIMATELY 0.20 MILE WEST OF MILITARY TRAIL AND 0.15 MILE SOUTH OF CRESTHAVEN BOULEVARD ON THE NORTH SIDE OF LATERAL CANAL 10 ROAD, FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); AND 01-71 RES 4 (KELLY DRIVE), MODIFYING PAGE 71 OF THE FLUA BY CHANGING APPROXIMATELY 7.79 ACRES OF LAND, LOCATED APPROXIMATELY 0.10 MILE SOUTH OF CRESTHAVEN BOULEVARD AND 250 FEET WEST OF MILITARY TRAIL ON THE NORTH AND SOUTH SIDES OF KELLY DRIVE, FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm

1 Beach County; and

2 WHEREAS, the Palm Beach County Local Planning Agency conducted
3 its public hearings on February 2, 9, 23 and March 9, 2001 to review
4 the proposed amendments to the Palm Beach County Comprehensive Plan
5 and made recommendations regarding the proposed amendments to the Palm
6 Beach County Board of County Commissioners pursuant to Chapter 163,
7 Part II, Florida Statutes; and

8 WHEREAS, the Palm Beach County Board of County Commissioners, as
9 the governing body of Palm Beach County, conducted a public hearing
10 pursuant to Chapter 163, Part II, Florida Statutes, on March 26 and
11 April 10, 2001 to review the recommendations of the Local Planning
12 Agency, whereupon the Board of County Commissioners authorized
13 transmittal of proposed amendments to the Department of Community
14 Affairs for review and comment pursuant to Chapter 163, Part II,
15 Florida Statutes; and

16 WHEREAS, Palm Beach County received on July 1, 2001 the
17 Department of Community Affairs "Objections, Recommendations, and
18 Comments Report," dated June 29, 2001 which was the Department's
19 written review of the proposed Comprehensive Plan amendments; and

20 WHEREAS, the written comments submitted by the Department of
21 Community Affairs contained no objections to the amendments contained
22 in this ordinance;

23 WHEREAS, on August 27, 2001 the Palm Beach County Board of County
24 Commissioners held a public hearing to review the written comments
25 submitted by the Department of Community Affairs and to consider
26 adoption of the amendments; and

27 WHEREAS, the Palm Beach County Board of County Commissioners has
28 determined that the amendments comply with all requirements of the
29 Local Government Comprehensive Planning and Land Development
30 Regulations Act.

31 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
32 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use
Element of the 1989 Comprehensive Plan

The following amendments to the Land Use Element's Future Land Use Atlas are hereby adopted and attached to this Ordinance:

A. Future Land Use Atlas page 57 is amended as follows:

Application No.: 01-57 RES 1 (BREEZY ACRES)

Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5);

General Location: Approximately 0.50 mile west of Haverhill Road and 250 feet south of Okeechobee Boulevard, on the east and west sides of Breezy Lane and north side of Elmhurst Road;

Size: Approximately 9 acres;

B. Future Land Use Atlas page 65 is amended as follows:

Application No.: 01-65 COM 1 (Congress Avenue/Holly Road)

Amendment: From Commercial, with an underlying 5 units per acre (C/5) on 3.31 acres and Commercial, with an underlying 5 units per acre (C/5) with cross-hatching on 3.21 acres to Commercial Low (CL);

General Location: Approximately 800 feet south of Summit Boulevard at the southeast corner of Congress Avenue and Holly Road;

Size: Approximately 6.52 acres;

C. Future Land Use Atlas page 71 is amended as follows:

Application No.: 01-71 RES 1 (Barbridge Road)

Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5);

General Location: Approximately 0.50 mile south of Forest Hill Boulevard and 300 feet east of Military Trail, on the north and south sides of Barbridge Road;

Size: Approximately 8.45 acres;

1 D. Future Land Use Atlas page 71 is amended as follows:

2 Application No.: 01-71 RES 3 (47th Avenue South)

3 Amendment: From Low Residential, 3 units per acre (LR-
4 3) to Medium Residential, 5 units per acre
5 (MR-5);

6 General Location: Approximately 0.20 mile west of Military
7 Trail and 0.15 mile south of Cresthaven
8 Boulevard on the north side of Lateral
9 Canal 10 Road;

10 Size: Approximately 4.55 acres;

11 E. Future Land Use Atlas page 71 is amended as follows:

12 Application No.: 01-71 RES 4 (Kelly Drive)

13 Amendment: From Low Residential, 3 units per acre (LR-
14 3) to Medium Residential, 5 units per acre
15 (MR-5);

16 General Location: Approximately 0.10 mile south of Cresthaven
17 Boulevard and 250 feet west of Military
18 Trail on the north and south sides of Kelly
19 Drive;

20 Size: Approximately 7.79 acres;

21 Part II. Repeal of Laws in Conflict

22 All local laws and ordinances applying to the unincorporated area
23 of Palm Beach County in conflict with any provision of this ordinance
24 are hereby repealed to the extent of such conflict.

25 Part III. Severability

26 If any section, paragraph, sentence, clause, phrase, or word of
27 this Ordinance is for any reason held by the Court to be
28 unconstitutional, inoperative or void, such holding shall not affect
29 the remainder of this Ordinance.

30 Part IV. Inclusion in the 1989 Comprehensive Plan

31 The provision of this Ordinance shall become and be made a part
32 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
33 Ordinance may be renumbered or relettered to accomplish such, and the
34 word "ordinance" may be changed to "section," "article," or any other
35 appropriate word.
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37

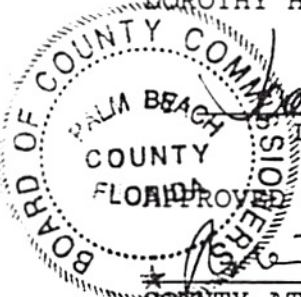
1 Part V. Effective Date

2 The effective date of this plan amendment shall be the date a
3 final order is issued by the Department of Community Affairs or
4 Administration Commission finding the amendment in compliance in
5 accordance with Section 163.3184, Florida Statutes, whichever occurs
6 earlier. No development orders, development permits, or land uses
7 dependent on this amendment may be issued or commence before it has
8 become effective. If the Administration Commission issues a final
9 order of noncompliance, this amendment may nevertheless be made
10 effective by adoption of a resolution affirming its effective status,
11 a copy of which resolutions shall be sent to the Department of
12 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
13 Boulevard, Tallahassee, Florida 32399-2100.

14 APPROVED AND ADOPTED by the Board of County Commissioners of
15 Palm Beach County, on the 27 day of August, 2001.

16
17 ATTEST:
18 DOROTHY H. WILKEN, Clerk

17 PALM BEACH COUNTY, FLORIDA,
18 BY ITS BOARD OF COUNTY COMMISSIONERS



19 [Signature] By [Signature]
20 Deputy Clerk Warren H. Newell, Chairman

21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

22 [Signature]
23 COUNTY ATTORNEY

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25
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29 Filed with the Department of State on the 6th day
30 of September, 2001
31
32

EXHIBIT 1

A. Future Land Use Atlas page 57 is amended as follows:

Amendment No.: 01-57 RES 1 (Breezy Acres)

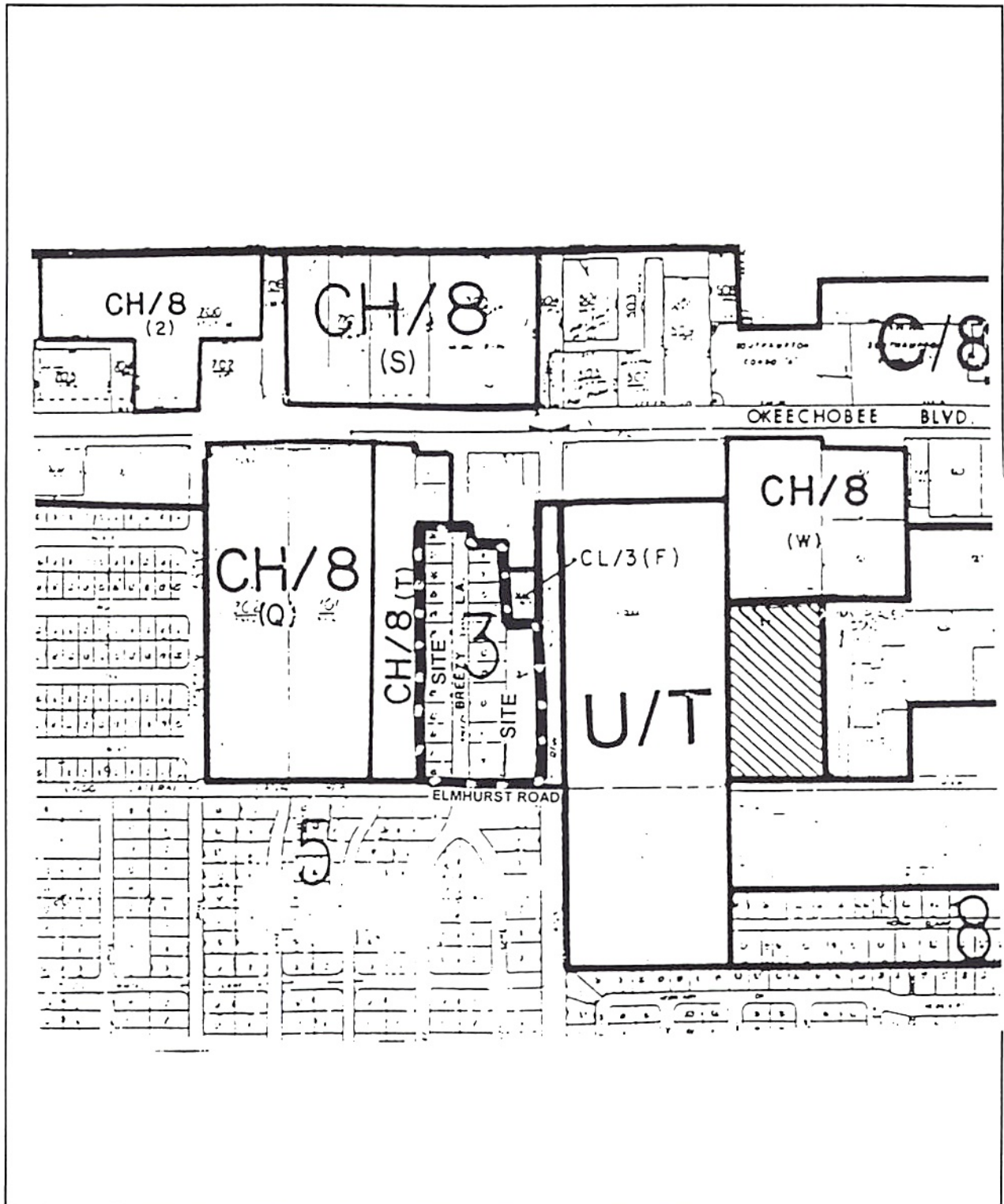
Amendment: Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5)

Location: Approximately 0.50 mile west of Haverhill Road and 250 feet south of Okeechobee Boulevard, on the east and west sides of Breezy Lane and north side of Elmhurst Road

Size: Approximately 9 acres (collectively)

Property No.:	00 42 43 26 00 000 3040	00 42 43 26 01 000 0150	00 42 43 26 01 000 0250
	00 42 43 26 01 000 0080	00 42 43 26 01 000 0170	00 42 43 26 01 000 0270
	00 42 43 26 01 000 0090	00 42 43 26 01 000 0180	00 42 43 26 01 000 0280
	00 42 43 26 01 000 0100	00 42 43 26 01 000 0200	00 42 43 26 01 000 0290
	00 42 43 26 01 000 0110	00 42 43 26 01 000 0210	00 42 43 26 01 000 0300
	00 42 43 26 01 000 0120	00 42 43 26 01 000 0220	00 42 43 26 01 000 0310
	00 42 43 26 01 000 0130	00 42 43 26 01 000 0230	00 42 43 26 01 000 0320
	00 42 43 26 01 000 0140	00 42 43 26 01 000 0240	

Conditions: None



B. Future Land Use Atlas page 65 is amended as follows:

Amendment No.: 01-65 COM 1 (Congress Avenue/Holly Road)

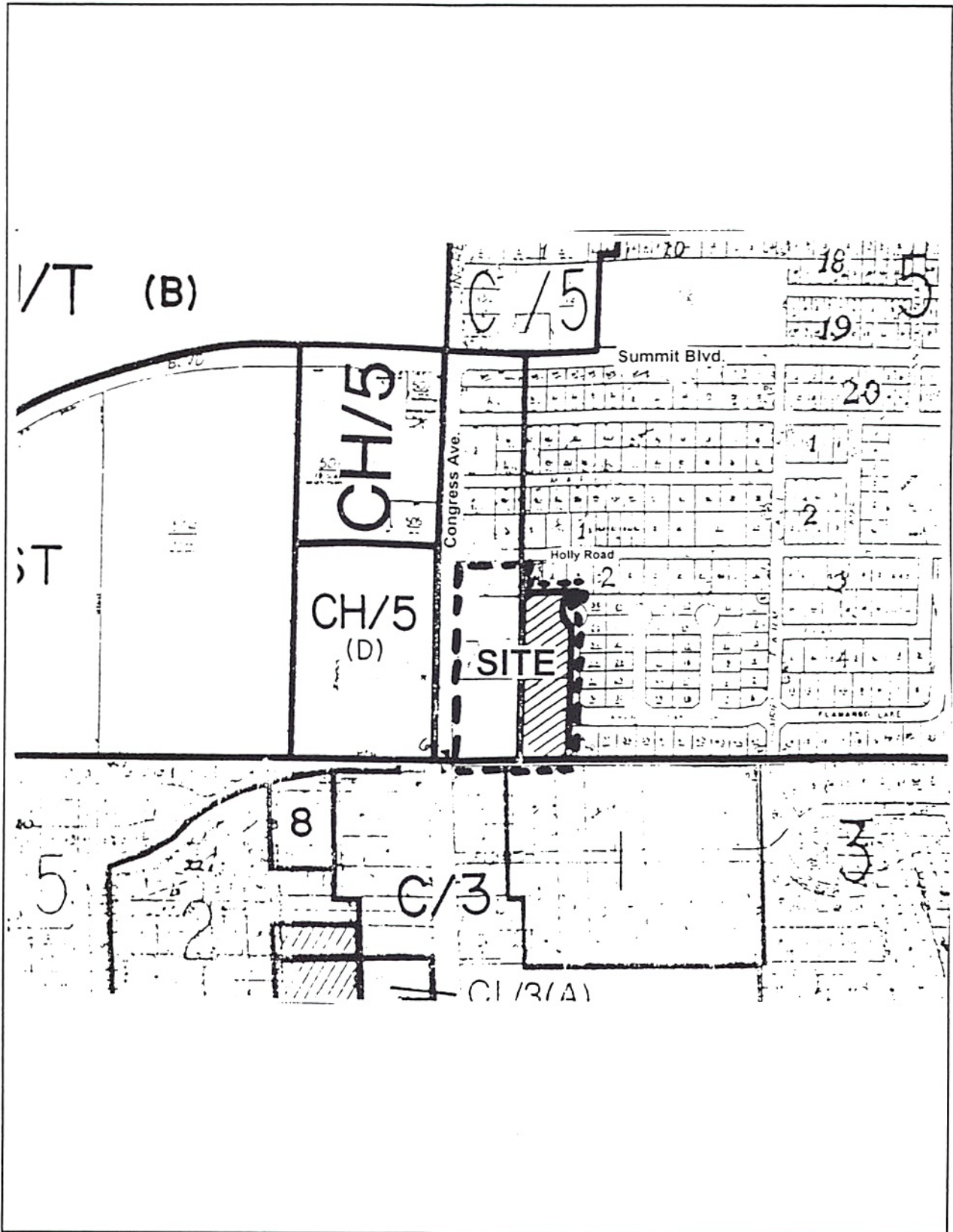
Amendment: From Commercial, with an alternative underlying designation of 5 units per acre (C/5) on 3.31 acres and Commercial, with an alternative underlying designation of 5 units per acre (C/5) with cross-hatching on 3.21 acres to Commercial Low (CL)

Location: Approximately 800 feet south of Summit Boulevard at the southeast corner of Congress Avenue and Holly Road

Size: Approximately 6.52 acres (collectively)

Property No.: 00-43-44-05-00-000-7010
00-43-44-05-00-000-7020
00-43-44-05-00-000-7030

Conditions: None



C. Future Land Use Atlas page 71 amended as follows:

Amendment No.: 01-71 RES 1 (Barbridge Road)

Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5)

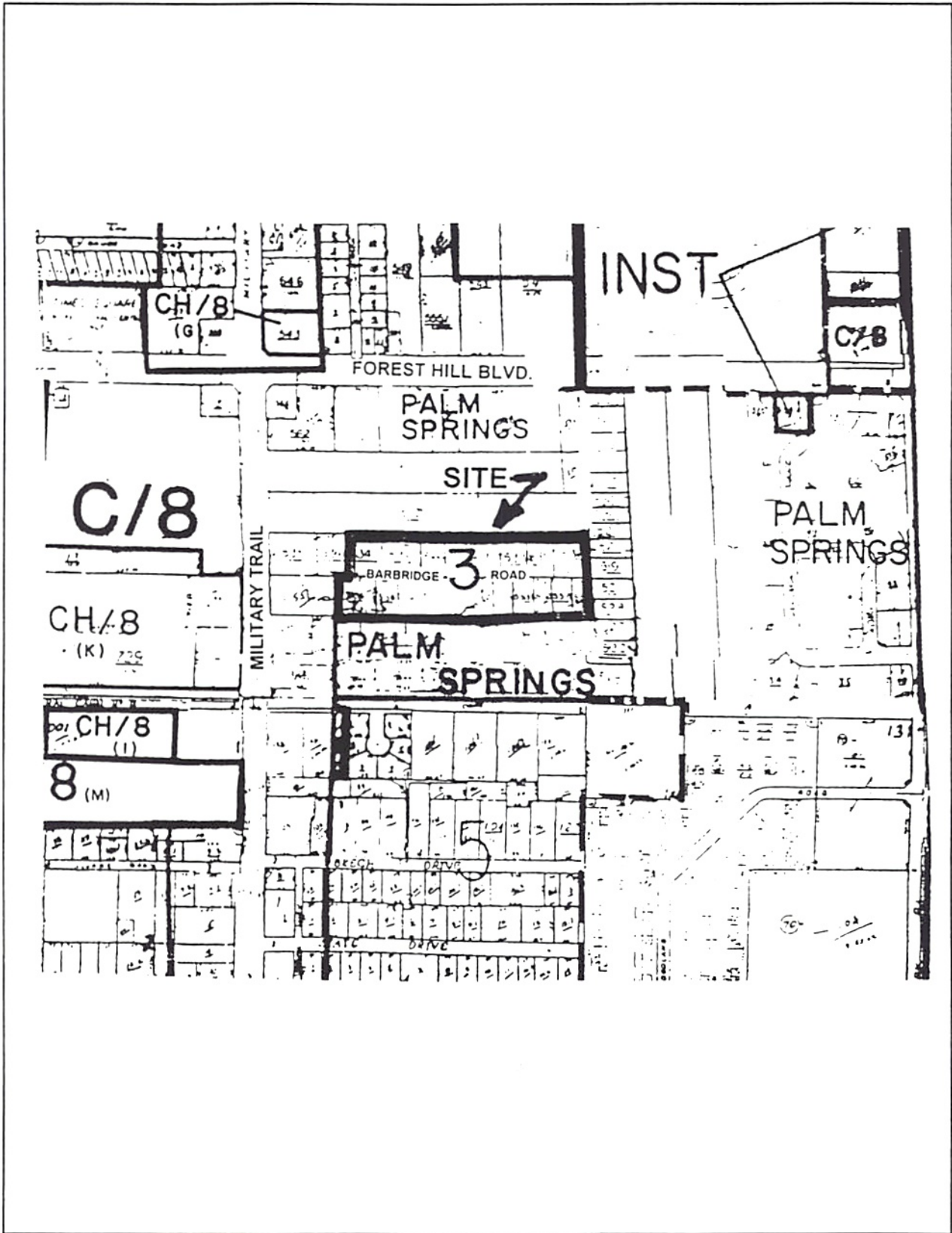
Location: Approximately 0.50 mile south of Forest Hill Boulevard and 300 feet east of Military Trail, on the north and south sides of Barbridge Road

Size: Approximately 8.45 acres (collectively)

Property No.:

00 42 44 12 00 000 5310	00 42 44 12 00 000 5520	00 42 44 12 00 000 5571
00 42 44 12 00 000 5311	00 42 44 12 00 000 5530	00 42 44 12 00 000 5580
00 42 44 12 00 000 5320	00 42 44 12 00 000 5531	00 42 44 12 00 000 5590
00 42 44 12 00 000 5330	00 42 44 12 00 000 5540	00 42 44 12 00 000 5610
00 42 44 12 00 000 5340	00 42 44 12 00 000 5541	00 42 44 12 00 000 5611
00 42 44 12 00 000 5342	00 42 44 12 00 000 5560	00 42 44 12 00 000 5640
00 42 44 12 00 000 5360	00 42 44 12 00 000 5570	

Conditions: None



D. Future Land Use Atlas page 71 is amended as follows:

Amendment No.: 01-71 RES 3 (47th Avenue South)

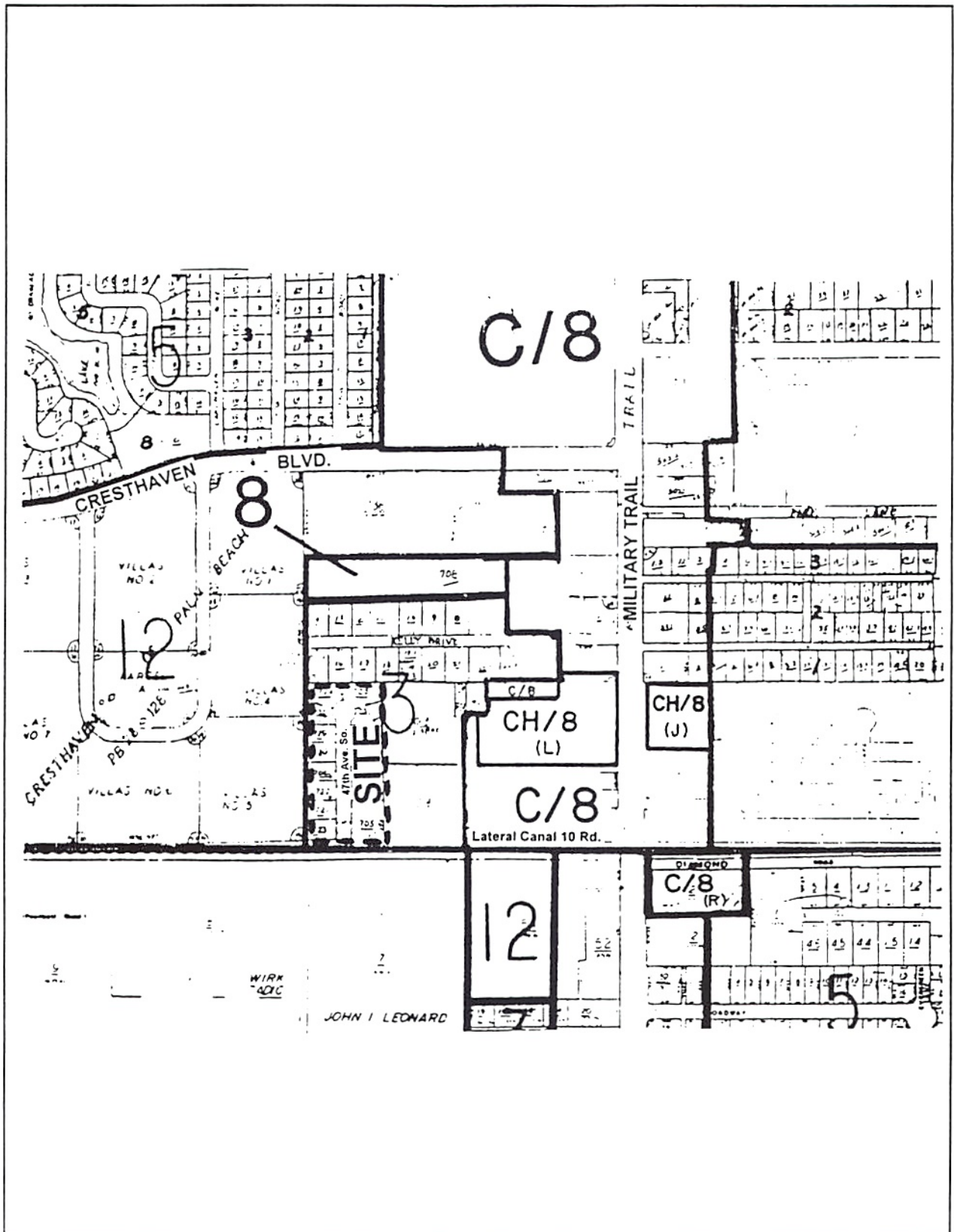
Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5)

Location: Approximately 0.20 mile west of Military Trail and 0.15 mile south of Cresthaven Boulevard on the north side of Lateral Canal 10 Road,

Size: Approximately 4.55 acres (collectively)

Property No.:	00 42 44 13 00 000 7050	00 42 44 13 00 000 7290
	00 42 44 13 00 000 7061	00 42 44 13 00 000 7300
	00 42 44 13 00 000 7210	00 42 44 13 00 000 7310
	00 42 44 13 00 000 7220	00 42 44 13 00 000 7320
	00 42 44 13 00 000 7230	00 42 44 13 00 000 7330
	00 42 44 13 00 000 7240	00 42 44 13 00 000 7340
	00 42 44 13 00 000 7250	00 42 44 13 00 000 7350
	00 42 44 13 00 000 7260	

Conditions: None



E. Future Land Use Atlas page 71 is amended as follows:

Amendment No.: 00-71 RES 4 (Kelly Drive)

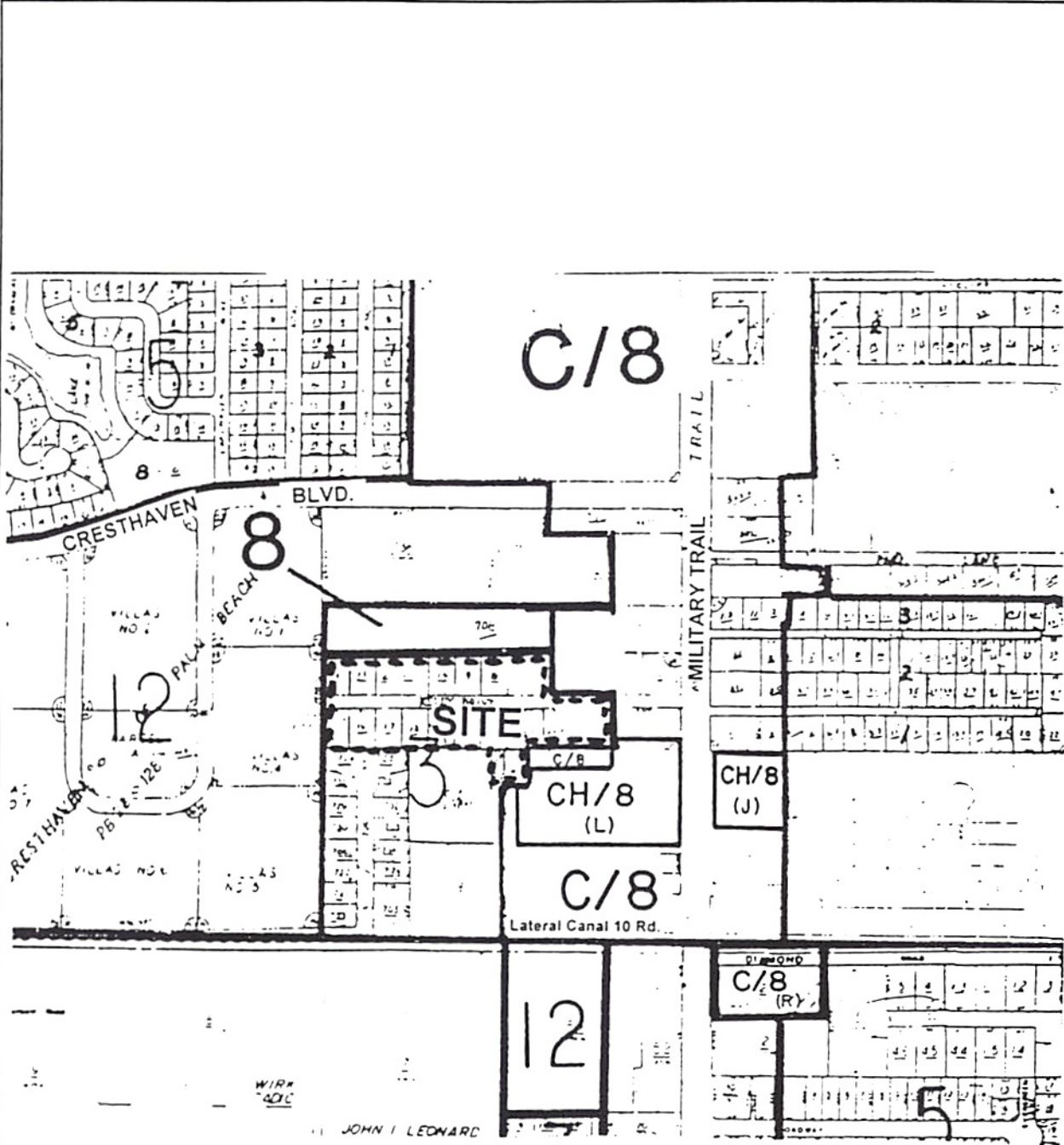
Amendment: From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5)

Location: Approximately 0.10 mile south of Cresthaven Boulevard and 250' west of Military Trail on the north and south sides of Kelly Drive.

Size: Approximately 7.79 acres (collectively)

Property No.: 00 42 44 13 07 000 0062 00 42 44 13 07 000 0140 00 42 44 13 07 000 0200
00 42 44 13 07 000 0070 00 42 44 13 07 000 0151 00 42 44 13 07 000 0210
00 42 44 13 07 000 0080 00 42 44 13 07 000 0152 00 42 44 13 07 000 0222
00 42 44 13 07 000 0090 00 42 44 13 07 000 0160 00 42 44 13 07 000 0223
00 42 44 13 07 000 0100 00 42 44 13 07 000 0170 00 42 44 13 00 000 0225
00 42 44 13 07 000 0110 00 42 44 13 07 000 0180 00 42 44 13 00 000 7070
00 42 44 13 07 000 0121 00 42 44 13 07 000 0190 00 42 44 13 00 000 7160
00 42 44 13 07 000 0130

Conditions: None



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 27, 2001
DATED at West Palm Beach, FL on 8/20/01
DOROTHY H. WILKEN, Clerk
By: Wanda K. Brown D.C.